Terms of Reference – Citizens' Assembly between the District of Saanich and the City of Victoria

October 8, 2019

Terms of Reference

The following Community Opinion Question was included on the ballot for the 2018 General and Local School Board Elections in Saanich and Victoria and supported by a majority of voters in both municipalities.

"Are you in favour of spending up to $250,000 for establishing a Citizens' Assembly to explore the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria?" (the "Question")

1.0 The District of Saanich and the City of Victoria Objectives

The municipalities of Saanich and Victoria have adopted an innovative and transparent public process to explore the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria (the "Question").

The Citizens' Assembly (the "Assembly") process is expected to be a deliberative one, providing the residents of Saanich and Victoria with the opportunity to directly and actively participate.

The Assembly is expected to be an impartial advisory body that is tasked with representing the residents of Saanich and Victoria in investigating the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria. In doing so, the Assembly will exemplify the highest standards of transparency, accountability and citizen engagement in delivering their report findings to the respective municipal Councils.

In establishing the Assembly, the municipalities have three objectives:

1.1 To learn about the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria including shared and contrasting values, concerns and needs of residents of Saanich and Victoria regarding neighbourhoods, change, growth, service delivery, governance, capital and infrastructure needs, land use planning, emergency services and strategic and regulatory frameworks.

1.2 To fully understand the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria including residents' visions for the future of their respective community and potentially an amalgamated Municipality.

1.3 To provide local residents with an unprecedented opportunity to explore the future of Saanich and Victoria.

2.0 Guiding Principles for the Citizens' Assembly

2.1 Openness and Transparency – The Assembly will regularly share its learning and deliberations with the public on an ongoing and predictable basis.

2.2 Accountability and Legitimacy – The Assembly will work within a defined mandate and budget on behalf of the residents of Saanich and Victoria. The Assembly will deliver its Final Report directly to the Municipal Councils of Saanich and Victoria.

2.3 Effective Representation – The Assembly will be charged with the responsibility of representing the needs and interests of the residents of Saanich and Victoria. The members of the Assembly will be selected to broadly represent the demographics of the municipalities.

2.4 Accessibility – The Assembly will provide reasonable supports to address barriers that may prevent a member of the Assembly from participating successfully.

2.5 Independence – The Assembly will have full independence to determine how to best fulfill its mandate, under the advisement of an experienced, third-party consultant who will facilitate the Assembly process.

2.6 Well-Informed –The Assembly's recommendations will be informed by a range of perspectives and sources of expertise including the technical report.

2.7 Balance – The Assembly will consider a diversity of voices and perspectives in its deliberations. The Chair will work to ensure that there is room for all voices.

2.8 Collaborative Decision-Making – The Assembly will work towards consensus when drafting their recommendations, while also respecting and documenting differing perspectives among its members.

2.9 Respect – The Assembly will strive to be conscientious and fair-minded in their deliberations and in their consultations with the residents of Saanich and Victoria.

3.0 Mandate of the Citizens' Assembly

The Assembly is tasked by the District of Saanich and the City of Victoria to explore the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria.

Specifically, the Assembly will:

3.1 Identify common aspirations for good local governance to provide a basis for evaluating costs, benefits and disadvantages of amalgamation and status quo of the municipalities relative to their current independent status.

3.2 List the issues which the Assembly believes needs to be resolved for amalgamation to merit consideration, including issues related to the implementation and integration of the municipalities under amalgamation.

In satisfying their mandate and developing recommendations, the Assembly will be expected to consider and analyze the positive and negative impacts of amalgamation (at a minimum) the following:

3.3 Assets and liabilities of Saanich and Victoria including any related impacts on local rate payers.

3.4 Cultural and land use priorities and similarities and differences of the two municipalities. Balance of the issues of economy of scale with community identity and representation.

3.5 Comparison of corporate structures and approaches to governance of the two municipalities.

3.6 All analysis and recommendations of the Assembly are informed and mindful of the ongoing work with local First Nations towards Reconciliation.

3.7 Neighbourhood level implications.

3.8 Congruency and alignment of strategic and political priorities of the municipalities (as expressed in Strategic Plans, Official Community Plans, Urban Containment Boundary policies and other significant strategic and planning documents).

3.9 Past investment in and future needs for capital assets, infrastructure replacement reserves including the analysis of anticipated impacts on an amalgamated municipality.

3.10 Variations in levels of service of the two municipalities including the development of clear recommendations on aligning service levels in an amalgamated municipality.

3.11 Clear delineation of advantages and disadvantages for the respective municipality in considering amalgamation versus those accruing solely to a combined municipality arising from amalgamation.

3.12 To the extent possible, consideration of costs, benefits and disadvantages of amalgamation between the District of Saanich and the City of Victoria over both the short and long terms (i.e. over 5 year, 20 year, and 50 year horizons).

3.13 Consideration of democratic representation and accessibility of elected officials to residents and other stakeholders.

3.14 Commentary from the Assembly on other opportunities for service integration is considered part of the Assembly's mandate.

3.15 If full amalgamation of Saanich and Victoria is recommended by the Assembly, commentary and recommendations from the Assembly on the integration of full municipal operations (both in the short and longer term) is expected as part of the Assembly's mandate.

3.16 In meeting its mandate and the expectations outlined in the Terms of Reference, the Assembly will, to the greatest extent possible, represent the consensus view of the members. Divergent views of Assembly members will be included in the Citizens' Assembly's Final Report.

4.0 Constraints on the Citizens' Assembly

The Assembly will enjoy wide latitude, subject to the processes and mandate laid out in the Terms of Reference, in its ability to make recommendations to Saanich and Victoria regarding the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria.

Recommendations must take into consideration the information gathered by a third-party technical team. In accordance with the process guidance provided by the Ministry of Municipal Affairs and Housing, the Municipal Councils of Saanich and Victoria will have the final authority to accept, modify or reject specific recommendations from the Assembly subject to the processes and mandate laid out in the Terms of Reference.

This Assembly will make fact-based, evidence-based and informed recommendations to the Councils in order to determine a path forward.

5.0 Schedule of the Citizens' Assembly

The Assembly will convene during 6-12 Saturday sessions beginning in 2019, and concluding in 2020. Additional meetings of the Assembly may be scheduled at the discretion of the Chair of the Assembly (see 8.2 for roles and responsibilities of the Chair). Meetings of the Assembly will not allow the public to attend in person but will be viewable by the public through webcast. The Assembly will also host multiple public roundtable meetings in both municipalities during the course of the Assembly schedule, with one of the meetings to discuss the technical report, which will be open to all local residents. The Assembly at the start of their process will set and define their schedule.

6.0 Reporting and Communication of the Citizens' Assembly

The Assembly will communicate regularly about its work to the public, Municipal Councils of Saanich and Victoria and to the joint municipal working group as outlined below.

6.1 General Reporting

The municipalities will develop a shared webpage that will list the members of the Assembly, a detailed agenda including all speakers and resources, and the Assembly's Terms of Reference. Following each Assembly meeting, a brief summary of its activities and progress will be posted.

6.2 Interim Directions Document

As early as possible in their process, the Assembly will issue a brief directions document listing its draft values and the issues or questions that the Assembly believes deserve further study and consideration during their deliberations.

6.3 Final Report

The Assembly will deliver its Final Report to the Municipal Councils of Saanich and Victoria no later than 60 days after the last Assembly meeting. The report will include a letter from the Chair, an overview of the process, and the proposed values, identified issues and final recommendations of the Assembly. It will also include an Appendix that will contain copies of all materials considered by the Assembly, a list of the members of the Assembly, any correspondence provided by individual members, and a 'Minority Report' that documents any dissenting perspectives.

6.4 Communications

The Chair is authorized as the official spokesperson for the Assembly and will approve all official communications regarding the conduct of the Assembly unless otherwise delegated.

6.5 The Assembly will present the Final Report to the Municipal Councils of Saanich and Victoria, which may, at their discretion, refer the report to municipal staff for comment, response and clarification, where appropriate, prior to considering the final recommendations.

7.0 Composition of the Citizens' Assembly

7.1 Recruitment Process

Members of the Assembly will be randomly selected by Civic Lottery — a mechanism that ensures that a broad, representative cross-section of local residents and business owners are selected to participate.

7.2 Number of Members

The Assembly will consist of 75 members. In order to be eligible to serve on the Assembly, an applicant must:

7.2.1 Reside within the municipal boundaries of the District of Saanich or the City of Victoria as defined by the area map; and

7.2.2 Be at least 16 years of age on the date of the Civic Lottery.

7.2.3 Only one person per residential address (unit in building) will be eligible to become a member of the Assembly.

7.2.4 Employees of the District of Saanich or the City of Victoria, as well as elected officials (municipal, provincial or federal), are ineligible to serve as Assembly members.

7.2.5 The Chair will work to ensure that individuals who participate in the Assembly will begin the process with an open mind on the subject.

7.3 Assembly Composition

Based on the most recent (2016) census data, the Assembly will generally reflect the composition of the population of each municipality with regard to:

7.3.1 An equal proportion of male and female members;
7.3.2 A proportionate number of members from different age cohorts;
7.3.3 A proportionate number of renters and home owners;
7.3.4 A proportionate number of members from the two municipalities – 43 members from Saanich and 32 members from Victoria (based on BC Statistics population data);
7.3.5 A proportionate number of members of First Nations from the two municipalities; and
7.3.6 A proportionate number of urban and rural residents.

7.4 To assist Assembly members to participate, members will be reimbursed for reasonable childcare, eldercare, and transportation costs and will receive an honorarium of $100 per meeting. Assistance will also be provided to those members with differing physical or learning abilities.

7.5 The working language of the Assembly is English. Translation services are not available.

8.0 Roles and Responsibilities

8.1 Roles and Responsibilities of Citizens' Assembly Members

Members of the Assembly are expected to fulfil their duties and agree to:

8.1.1 Attend each of the sessions of the Assembly as well as public roundtable meetings.

8.1.2 Work to understand and represent the varied perspectives of *all* Saanich and Victoria residents.

8.1.3 Treat each other with respect and take an active role in the work of the Assembly.

8.1.4 Work collaboratively to achieve a strong consensus concerning the Assembly's recommendations.

If a member of the Assembly must withdraw owing to illness or unexpected events, their position may be filled from the pool of applicants at the discretion of the Chair.

8.2 Roles and Responsibilities of the Chair

The Chair of the Assembly will be the Facilitator appointed by the District of Saanich and the City of Victoria who will design and host the meetings and proceedings of the Assembly. The Chair will not be a municipal employee and is expected to remain neutral with regards to the recommendations or direction of the Assembly. The Chair is charged to:

8.2.1 Oversee a fair and representative member selection process.

8.2.2 Develop a balanced learning program that involves residents, community organizations and experts to provide a range of perspectives.

8.2.3 Support respectful dialogue and deliberation amongst members leading to consensus based decisions and uphold Assembly procedures as per these Terms of Reference. If members feel that consensus based decision-making is not working at any given point in the deliberations, a group of three members representing Saanich and three members representing Victoria may request that the Chair call a vote on any given matter. Once the six members ask for this, the Chair must ask the Assembly to decide the matter by vote.

8.2.4 Ensure that regular updates concerning the Assembly's proceedings are made publicly available.
8.2.5 Provide opportunities to inform and convey perspectives from local residents and stakeholders to Assembly members.
8.2.6 Produce and deliver a Final Report concerning the Assembly's activities and recommendations to the Municipal Councils of Saanich and Victoria.
8.2.7 Exercise discretion in ensuring the integrity and sound conduct of the Assembly.
8.2.8 Ensure that the design and conduct of the Assembly are consistent with good democratic practices.

8.3 Roles and Responsibilities of the Victoria and Saanich Community

All residents of Saanich and Victoria have a role to play in assisting and ensuring the success of the Assembly. Members of the community are encouraged to participate and:

8.3.1 Attend public roundtable meetings hosted by members of the Assembly to discuss its progress and solicit community perspectives.
8.3.2 Attend occasional open sessions of the Assembly to observe its proceedings.
8.3.3 Submit ideas to the Assembly website and review regular public updates.

8.4 Roles and Responsibilities of the District of Saanich and the City of Victoria

The District of Saanich and City of Victoria will respect and support the independence and integrity of the Assembly. Municipal elected officials and staff will remain at arm's length during deliberations of the Assembly and will not comment publicly on the work of the Assembly while the work is underway.

Municipal staff will endeavour to:

8.4.1 Provide logistical support for Assembly activities, including venue booking, providing food, and additional supports as needed;
8.4.2 Provide expertise and access to existing strategic plans, financial and other documents; and
8.4.3 Give careful and timely consideration to the Assembly's Final Report.

9.0 Decision Making of the Assembly

Wherever possible decisions will be made on the consensus of its members. It is expected that discussion, debate and decision-making of the Assembly will be undertaken in accordance with Robert's Rules of Order.

As per Section 8.2.3 above, a group of three members representing Saanich and three members representing Victoria may request that the Chair call a vote on any given matter. Once the six members ask for this, the Chair must ask the Assembly to decide the matter by vote.

Divergent views are to be respected in this process including the opportunity for their expression in a Minority Report of the Assembly submitted to the Municipal Councils of Saanich and Victoria.

10.0 Process Concerns

If the Chair or the majority of members of the Assembly lose confidence in the process, there will be an appeal for review at a joint Council meeting of Saanich and Victoria.